

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

J. LEE,

Plaintiff,

No. 1:17-CV-01230-JB-LF

v.

THE BOARD OF REGENTS OF THE
UNIVERSITY OF NEW MEXICO, and
GARNETT S. STOKES, in her official capacity
as the President of the University of New Mexico,

Defendants.

JOINT MOTION TO AMEND SCHEDULING ORDER

COMES NOW Plaintiff, J. Lee, and Defendants, The Board of Regents of the University of New Mexico (“UNM”) and Garnett S. Stokes, and hereby move the Court to amend the Scheduling Order [Doc. 51] to extend certain deadlines and to reset the Motion Hearing, Pretrial Conference, and Bench Trial. As grounds for this Joint Motion, the parties state:

1. The deposition of Plaintiff was commenced on August 30, 2019, but it was not able to be completed. The parties have agreed to finish the deposition of Plaintiff on a later date, but the parties are unlikely to be able to complete the deposition of Plaintiff in advance of the current deadline for filing dispositive motions.

2. Defendant UNM served its First Set of Interrogatories, Requests for Production, and Requests for Admission to Plaintiff, which responses were due on September 3, 2019. Defendant UNM first agreed to extend the deadline to September 11, 2019, for Plaintiff to serve his discovery responses and then subsequently has agreed to indefinitely extend the deadline for Plaintiff to serve his discovery responses pending possible settlement discussions.

3. The parties have mutually agreed that it would be appropriate to extend certain deadlines by sixty (60) days to complete pending discovery and to possibly explore settlement discussions. The parties request that the termination date for discovery be extended by sixty (60) days—from September 3, 2019, to November 4, 2019—for the limited purpose of allowing the parties to complete currently-pending discovery. The parties also request the following extensions of deadlines:

<u>Deadline</u>	<u>Current Deadline</u>	<u>New Deadline</u>
Motions relating to discovery	September 23, 2019	November 22, 2019
Pretrial motions	October 3, 2019	December 2, 2019
Pretrial Order (Plaintiff to Defendants)	November 18, 2019	January 17, 2020
Pretrial Order (Defendants to Court)	November 29, 2019	January 28, 2020

4. In light of the requested extensions of deadlines, the parties also request that the Court reset the Motion Hearing (currently set for November 6, 2019, at 8:30 a.m.), the Pretrial Conference (currently set for December 2, 2019, at 8:30 a.m.), and Bench Trial (currently set for the trailing docket beginning on December 9, 2019, at 9:00 a.m.) to dates in line with the requested extensions.

5. Plaintiff's counsel is currently scheduled for a 5- to 7-day trial in another matter in Los Lunas, New Mexico, on a trailing docket from January 27, 2020, to February 3, 2020, and respectfully requests that the Court reset the Pretrial Conference and Bench Trial for this matter after that time.

6. The parties will concurrently submit a proposed Stipulated Amended Scheduling Order for the Court's consideration.

WHEREFORE, the parties jointly request that the Court amend the Scheduling Order to extend certain deadlines and to reset the Motion Hearing, Pretrial Conference, and Bench Trial to allow the parties to complete currently-pending discovery and to possibly explore settlement discussions.

Jointly Submitted:

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Approved via email – September 27, 2019

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/s/ Quentin Smith
By: _____
Quentin Smith